

JAMES P. KEMP, ESQ.  
Nevada Bar No.: 6375  
KEMP & KEMP  
7435 W. Azure Drive, Suite 110  
Las Vegas, NV 89130  
702-258-1183 ph./702-258-6983 fax  
*Attorneys for Plaintiff Donovan McIntosh*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

DONAVAN McINTOSH,

Plaintiff,

vs.

CITY OF NORTH LAS VEGAS, a Municipal  
Corporation and political subdivision of the  
State of Nevada; PAMELA OJEDA in her  
official and/or individual capacities; CLINTON  
RYAN in his official and/or individual  
capacities; ALEJANDRO RODRIGUEZ in his  
official and/or individual capacities; DOES I-X,

Defendants.

Case No. 2:21-cv-01505-APG-EJY

**STIPULATION AND ORDER TO  
EXTEND DEADLINE FOR JOINT PRE-  
TRIAL ORDER**

**[SECOND REQUEST]**

Plaintiff Donovan McIntosh (“Plaintiff”) and Defendants City of North Las Vegas (“CNLV”), Pamela Ojeda (“Chief Ojeda”), Clinton Ryan (“Asst. Chief Ryan”), and Alejandro Rodriguez (“Lt. Rodriguez,” and collectively, “Defendants”), by and through their undersigned counsel, hereby file this Stipulation and Order to Extend Deadline for Joint Pre-Trial Order (First Request). This is the second request to extend this deadline. The parties stipulate that the current deadline of November 13, 2023 (November 10 was a holiday) should be extended to Friday, December 1, 2023 and informs the court as follows:

1. The current deadline was established by the first request of the parties approved by the court on September 25, 2023.

- 1           2. During the interim period CNLV litigated a Motion to Strike the Amended Complaint  
2           and the court denied that motion on October 2, 2023. [ECF No. 66]
- 3           3. Thereafter, CNLV filed an Answer to the Amended Complaint on October 20, 2023.  
4           [ECF No. 67]
- 5           4. During the period of October 26 through November 3 Plaintiff's counsel was  
6           attending a 40 hour Mediation Certificate CLE training program through Quinnipiac  
7           University School of Law and traveled to Connecticut for the in-class portion of the  
8           training. Plaintiff's counsel was in Connecticut from November 1 through November  
9           6 because after the training program ended Plaintiff's counsel's son came to  
10          Connecticut and Plaintiff's counsel attended the law school's open house with his son  
11          on November 4 and a tour and discussion of admissions and financial aid with law  
12          school staff as Plaintiff's son is applying to law schools this fall.
- 13          5. Further, in the interim Plaintiff's counsel was out of town for the Nevada Justice  
14          Association CLE convention in San Diego from October 4-6, 2023.
- 15          6. Further Plaintiff's counsel had out of state depositions in Orange County, California  
16          on October 9, 2023.
- 17          7. Further Plaintiff's counsel has had multiple mediations/settlement conferences, other  
18          depositions, multiple administrative workers' compensation and unemployment  
19          hearings, and briefing due in an arbitration case.
- 20          8. Plaintiff's counsel is focusing on the Joint Pre-Trial Order this week and will have a  
21          first draft of the document to Defense counsel by no later than close of business on  
22          November 14, 2023. Given the upcoming Thanksgiving Holiday (Plaintiff's counsel  
23          is traveling out of the country beginning November 17, 2023) the parties are  
24          requesting the new deadline be the Friday after the holiday week, which is December  
25          1, 2023 as this should be sufficient time to finalize the Joint Pre-Trial Order.
- 26          9. The requested extension is sought in good faith and not for purposes of undue delay.  
27  
28

1 IT IS STIPULATED AND AGREED that the parties shall file the Joint Pre-Trial Order no  
2 later than December 1, 2023.

3 IT IS SO STIPULATED.  
4

5 Dated this 13<sup>th</sup> day of November 2023

6 KEMP & KEMP

HONE LAW

7  
8 /s/ James P. Kemp  
9 James P. Kemp, NV Bar No. 6375  
jp@kemp-attorneys.com  
7435 W. Azure Drive, Suite 110  
Las Vegas, NV 89130

/s/ Jill Garcia  
Jill Garcia, NV Bar No. 7805  
jgarcia@hone.law  
701 N. Green Valley Parkway, Suite 200  
Henderson, NV 89074

10 *Attorney for Plaintiff*

*Attorneys for Defendants*

11  
12  
13 **ORDER**

14  
15 IT IS SO ORDERED.

16   
17 UNITED STATES MAGISTRATE JUDGE

18  
19 Dated: November 13, 2023  
20  
21  
22  
23  
24  
25  
26  
27  
28